



Patent US 211
Attorney Docket: 895,080-008
[formerly 243/222]

AF
\$14
2700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Stuart Berman

Serial No.: 09/330,755

Filed: June 11, 1999

For: FIBRE CHANNEL SWITCHING SYSTEM

Group Art Unit: 2665

Examiner: Daniel J. Ryman

RECEIVED
OCT 08 2003
Technology Center 2600

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RECEIVED
OCT 08 2003
Technology

Applicant hereby appeals to the Board from the Final Office Action mailed April 9, 2003, finally rejecting claims 50-55.

Pursuant to 37 C.F.R. § 1.17(e), the fee for filing the Notice of Appeal is \$160.00 for applications qualifying for small entity status, and is included in the attached check. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

A Petition for Extension of Time is attached hereto.

10/06/2003 SDENB0B1 00000115 09330755

01 FC:2253

465.00 OP

10/06/2003 SDENB0B1 00000115 09330755

02 FC:2401

160.00 OP

CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit
IR1:1048196.1

9/30/03

Denise N. Doss

The Commissioner is hereby authorized to charge any deficiency or credit any
overpayment of fees to Deposit Account No. 50-0639.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: 9/30/03

By: David B. Murphy

David B. Murphy
Reg. No. 31,125
Attorneys for Applicant

DBM/dnd

34263
PATENT TRADEMARK OFFICE
O'Melveny & Myers LLP
114 Pacifica, Suite 100
Irvine, CA 92618-3315
(949) 737-2900